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Force Review

FO2333216

E - Photograph (2) Depicting Suspect Marwah's Face When Booked

F - Compact Discs (2) Containing Voice Print / Audio Recordings of Call for Service, Radio Traffic of Back Up and Assistance Request. Digital Video Disc (1) Containing Video Interviews of Suspect Marwah, Witnesses [redacted] [redacted] and [redacted] conducted by Sgt. Thompson.

Miscellaneous Documents:

- ♦ Administrative Rights Forms
- ♦ In-Service for PM Shift, April 13, 2013

761551N25A - SH-AD-32A

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT
A Tradition of Service

DATE: March 17, 2014
FILE NO:

OFFICE CORRESPONDENCE

FROM: BOBBY D. DENHAM, COMMANDER
NORTH PATROL DIVISION

TO: ALICIA E. AULT, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS:

Case Number:	FO2333216
Incident:	Significant Force
Incident Date:	April 13, 2013
Unit:	Marina Del Rey Station
Suspect:	Adam Singh Marwah, MB/03-17-84
Involved Employees:	Deputy [redacted] #[redacted] Deputy Royce Cooley, #[redacted]
EFRC Date:	March 13, 2014

The Executive Force Review Committee (EFRC) consisting of Commanders Bobby Denham, Stephen Johnson, and Ralph Webb met and reviewed the above case.

FORCE POLICY RELATING TO INCIDENT:

Law enforcement officers are entitled to use the amount of force that is reasonable and necessary to make an arrest, prevent an escape, or overcome resistance.

FINDINGS:

On April 13, 2013, Marina Del Rey deputies were assigned to a two man patrol unit, 273. The unit consisted of a [redacted] and a [redacted] in his [redacted]

The two deputies responded to [redacted] Parkglen Avenue, Ladera Heights, in regards to a "See the Man Call." The call indicated that the informant (witness) alleged that another person in his house stole items from him.

While en-route to the call, the deputies received additional information from the Marina Del Rey Dispatch that the person was on parole. This was confirmed by the two deputies while en-route to the call as they ran his name in California Wanted Persons.

Upon their arrival, they saw the witness outside of the location and spoke with him. As they spoke in the front yard of the location, the deputies could hear loud screaming and shouting inside of the house. They saw that the front door of the house was open. They approached the front door and looked inside. They saw a hallway with doorways on both sides.

Based on the loud yelling and screaming inside one of the rooms, they formed the opinion that a person or persons could be in danger or had been assaulted. The deputies identified themselves as the Sheriff's Department from the open front doorway and order the occupants of the house to step out with their hands up.

Several people stepped out of a room and walked through the hallway. They approached the front door. The deputies ordered the group outside in order to clear the house of any potential victims and thus conduct their investigation. Two of the people complied, but the suspect refused to come out and told his [redacted] to not come out and to return to her room. The deputies requested back up via their handheld radio. Seconds later they requested assistance, due to the escalating uncooperative nature of the suspect.

The suspect tried to slam the front door on the deputies, but one of the deputies placed his foot against the door jamb and kept the door from closing. The deputies pushed the door back to the open position, then saw the suspect walking away at a fast pace from the front door through the hallway.

Due to the fact the house had not been cleared of any victims, and in order to keep the suspect from potentially arming himself, the deputies followed him into the hallway. Approximately eight to ten feet into the hallway, the deputies grabbed the suspect by his arms and tried to detain him. The suspect resisted and swung his elbows violently striking the deputies on their faces with his elbows.

One of the deputies punched the suspect on his stomach area twice and the other deputy punched the suspect on his face twice. The deputies advised they were involved in a fight via their radio.

The deputies took the suspect to the floor in a prone position, but the suspect continued to resist the deputies by placing his closed fists under his stomach. The deputies were subsequently able to pull the suspect's hands behind his back and handcuffed him.

During the entire struggle, two of the people from the house stood by the deputies yelling and screaming. They yelled to the deputies to leave the suspect alone and they yelled at the suspect to stop resisting the deputies.

Due to the fact the suspect continued to resist the deputies while handcuffed, they picked him up, carried him outside, and placed him inside a radio car without further incident. When the assisting units arrived, they cleared the interior of the house.

The suspect was transported to Marina Del Rey Hospital in order to receive a medical clearance for booking. While at the hospital, it was determined the suspect sustained a fractured right orbital. He was medically cleared for booking and transported to Marina Del Rey Station for booking.

The EFRC determined the force used against the suspect was within Department policy. The EFRC also determined the tactics used were within Department policy.

RECOMMENDATIONS:

The EFRC recommended the unit commander, Captain Reginald D. Gautt, conduct a tactical debriefing with the involved personnel regarding the unique circumstances of this incident.

BDD:JER:jer

Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 013 - 00895 - 2767 - 058	Date: 04/13/13	Time: 3:05 P.M.	
Location: [redacted] Parkglen Avenue	City or Station: Los Angeles		
Bureau/Station/Facility: Marina Del Rey	Admin. Investigation: ○ YES ◉ NO		
Type of Force: Significant Force / Personal Weapons (Fist), Control Holds Take Down, Fractured Orbital			
Incident Category: ○ 1 ○ 2 ◉ 3	Deputy Injury: ◉ YES ○ NO	Suspect Injury ◉ YES ○ NO	
☒ Call ☐ Observation ☐ Detail	☐ Foot Pursuit ☐ Vehicle Pursuit		
IAB Notified: ◉ YES ○ NO	Person Notified: Lieutenant Valencia	Emp: [redacted]	IAB Roll Out ◉ YES ○ NO

Involved Employee

E 1

Employee #: [redacted]	Last Name: Cooley	First Name: Royce	Middle I.: R.	Rank: Deputy		
Sex: ◉ M ○ F	Race: B	Height: 6'	Weight: 185	Age: [redacted]	Shift: ○ EM ○ Day ◉ PM	◉ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: Marina Del Rey	Work Assignment (Unit #, Module, etc.): 273					
Individual Force Used: Personal Weapons (Fist) Takedown	○ Directed ○ Rescue ○ Medical Assist	Individual Category ○ 1 ○ 2 ◉ 3				
☒ Injured ☐ Treated ☐ Admitted	Facility: Not Treated	Coroner Case #				

E 2

Employee #: [redacted]	Last Name: [redacted]	First Name: [redacted]	Middle I.: [redacted]	Rank: Deputy		
Sex: ◉ M ○ F	Race: W	Height: 5' 8"	Weight: 200	Age: [redacted]	Shift: ○ EM ○ Day ◉ PM	◉ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: Marina Del Rey	Work Assignment (Unit #, Module, etc.): 273					
Individual Force Used: Personal Weapons (Fist) Takedown	○ Directed ○ Rescue ○ Medical Assist	Individual Category ○ 1 ○ 2 ◉ 3				
☒ Injured ☐ Treated ☐ Admitted	Facility: Not Treated	Coroner Case #				

E__

Employee #:	Last Name:	First Name:	Middle I.:	Rank:		
Sex: ○ M ○ F	Race:	Height:	Weight:	Age:	Shift: ○ EM ○ Day ○ PM	○ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment:	Work Assignment (Unit #, Module, etc.):					
Individual Force Used:	○ Directed ○ Rescue ○ Medical Assist	Individual Category ○ 1 ○ 2 ○ 3				
☐ Injured ☐ Treated ☐ Admitted	Facility:	Coroner Case #				

On Duty Supervisor

☐ Additional Involved Employees

Emp #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Thompson	Derrick	A.	Sgt	YES ○ NO ◉	YES ○ NO ◉

Supervisor Completing Investigation

Emp #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Garcia	Jose	J.	Sgt	YES ○ NO ◉	YES ○ NO ◉

Watch Commander / Supervising Lieutenant

Emp #	Last Name	First Name	Middle I.	Rank
[redacted]	Christopher	Yvette	D.	Lt.

Watch Commander / Supervising Lieutenant's **Signature:** Date Copy Provided to Employee by: Emp #: [redacted]

Reginald D. Gautt

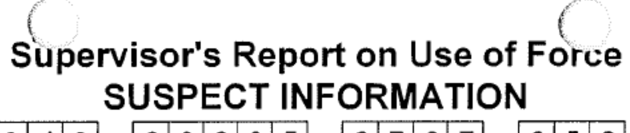
Unit Commander **(Print Name)** Unit Commander's **Signature**: Emp #: Date

DISCOVERY Use Only

FO#

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander



Supervisor's Report on Use of Force
SUSPECT INFORMATION

0 1 3 - 0 0 8 9 5 - 2 7 6 7 - 0 5 8

Suspect Information

S 1

Last Name: Marwah | First Name: Adam | Middle Name: Singh | Armed? Select: Not Armed

AKA Last Name: | First Name: | Middle Name:

Sex: (●) Male ( ) Female | Race: B | Age: 29 | Height: 506 | Weight: 135 | D.O.B: 3-17-84 | Phone #1: (●) H ( ) W ( ) C [redacted] | Phone #2: ( ) H ( ) W ( ) C

Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Booking #: 3527181 | Primary Charge Code: 243 (b) P.C. | Secondary Charge Code: | ☐ Criminal History

Treated on Scene? (●) YES ( ) NO | Name: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: Marina Del Rey Hospital | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: Dr. William Sheer MD | Address: 4650 Lincoln Blvd, Marina del Rey, CA 9 | Phone #: (310) 823-8911

Under Influence: ( ) YES (●) NO | Substance: | 5150 a factor in force? ( ) YES (●) NO User's guide provides direction on this entry

Suspect Interview

Date: 4-13-13 | Time: 2145 | ☐ Audiotape: | ☒ Videotape: | ☒ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S_

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | ☐ Criminal History

Treated on Scene? ( ) YES ( ) NO | By: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S_

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | ☐ Criminal History

Treated on Scene? ( ) YES ( ) NO | By: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

☐ **Additional Suspects Involved**

Supervisor's Report on Use of Force

013 - 00895 - 2767 - 058

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Marwah	S#1	[redacted]	E#1	PH	BR	FA
[redacted]	E#1	Marwah	S#1	PH	NN	AD
Marwah	S#1	Cooley	E#2	PH	BR	FA
Cooley	E#2	Marwah	S#1	PH	FR	FA

INTERNAL AFFAIRS BUREAU
INVESTIGATIVE SUMMARY
FO2333216

UNIT:	**Marina Del Ray Sheriff's Station**
DATE:	**April 13, 2013, Saturday**
TIME:	**1505 hours**
LOCATION:	**[redacted] Parkglenn Avenue, Ladera Heights CA**
URN #:	**013-00895-2767-058**

On April 13, 2013, Lieutenant Dominic Valencia, Sergeant Hector Velasquez and Sergeant Jose J. Garcia of the Internal Affairs Bureau responded to Marina Del Rey Sheriff's Station regarding a use of force incident. The reason for the response by the Internal Affairs Bureau was due to a notification that the suspect arrested in this incident sustained a fractured right orbital during a use of force.

This use of force was a Category 3 as defined in the Use of Force Reporting Procedures of the Manual of Policy and Procedures, 3-10/100/00.

Deputies [redacted] # [redacted] and Royce Cooley # [redacted] were assigned to a two man patrol unit, 273. Deputy Feder was a [redacted] and Deputy Cooley was his [redacted] at the time of the incident. Deputy Cooley was in his [redacted]

The two deputies responded to [redacted] Parkglen Avenue, Ladera Heights in regards to a "See the Man Call." The call indicated that the informant (Witness [redacted] alleged that another person ([redacted]) in his house stole items from him.

While en-route to the call, Deputies Cooley and [redacted] received additional information from the Marina Del Rey Dispatch that Mr. [redacted] was on parole. This was confirmed by the two deputies while en-route to the call as they ran his name in California Wanted Persons.

Upon their arrival, they saw Witness [redacted] outside of the location and spoke with him. As they spoke in the front yard of the location, the deputies could hear loud screaming and shouting inside of the house. They saw that the front door of the house was open. They approached the front door and looked inside. They saw a hallway with doorways on both sides. Based on the loud yelling and screaming inside one of the rooms, they formed the opinion that a person or persons could be in danger or had been assaulted.

INTERNAL AFFAIRS BUREAU
INVESTIGATIVE SUMMARY

The deputies identified themselves as the Sheriff's Department from the open front doorway and order the occupants of the house to step out with their hands up.

Witness [redacted] and Suspect Adam Marwah stepped out of a room and walked through the hallway. They approached the front door.

The deputies ordered the group outside in order to clear the house of any potential victims and thus conduct their investigation. Mr. [redacted] stepped out and was searched, handcuffed and sat on a chair outside, on the porch. Witness [redacted] also complied and stepped out to the porch.

Suspect Marwah refused to come out and told his [redacted] Witness [redacted] to not come out and to return to her room. The deputies requested back up via their handheld radio. Seconds later they requested assistance, due to the escalating uncooperative nature of Suspect Marwah.

Suspect Marwah tried to slam the front door on the deputies but Deputy [redacted] placed his foot against the door jamb and kept the door from closing. The deputies pushed the door back to the open position, then saw Suspect Marwah walking away at a fast pace from the front door through the hallway.

Due to the fact that the house had not been cleared of any victims and in order to keep Suspect Marwah from potentially arming himself, the deputies followed him into the hallway.

Approximately eight to ten feet into the hallway, the deputies grabbed the suspect by his arms and tried to detain him. The suspect resisted and swung his elbows violently striking the deputies on their faces with his elbows.

Deputy [redacted] punched Suspect Marwah on his stomach area twice and Deputy Cooley punched Suspect Marwah on his face twice. The deputies advised they were involved in a fight via their radio.

The deputies took Suspect Marwah to the floor in a prone position but Suspect Marwah continued to resist the deputies by placing his closed fists under his stomach. The deputies were subsequently able to pull the suspect's hands behind his back and Deputy [redacted] handcuffed him.

INTERNAL AFFAIRS BUREAU
INVESTIGATIVE SUMMARY

During the entire struggle Witnesses [redacted] and [redacted] stood by the deputies yelling and screaming. They yelled to the deputies to leave Suspect Marwah alone and they yelled at Suspect Marwah to stop resisting the deputies.

Due to the fact that Suspect Marwah continued to resist the deputies while handcuffed, they picked him up, carried him outside and placed him inside a radio car without further incident. When the assisting units arrived, they cleared the interior of the house.

The suspect was transported to Marina Del Rey Hospital in order to receive a medical clearance for booking. While at the hospital it was determined that Suspect Marwah sustained a fractured right orbital. He was medically cleared for booking and transported to Marina Del Rey Station for booking.

INVOLVED PERSONNEL:

[redacted] - Deputy Sheriff, #[redacted]
Central Patrol Division
Marina Del Rey Sheriff's Station

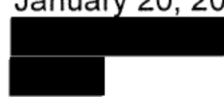
Work History:

Date of Employment: September 18, 2006
Date Assigned to Patrol: December 13, 2007
Date Completed Patrol Training: [redacted]
Prior Founded Force Incidents: [redacted]

Royce Cooley - Deputy Sheriff, #[redacted]
Central Patrol Division
Marina Del Rey Sheriff's Station

Work History:

Date of Employment: July 5, 2006
Date Assigned to Patrol: January 20, 2013
Date Completed Patrol Training: [redacted]
Prior Founded Force Incidents: [redacted]



INTERNAL AFFAIRS BUREAU
INVESTIGATIVE SUMMARY

SUSPECT:

Adam Singh Marwah: MB/March 17, 1984

[redacted] CII # [redacted] Main # [redacted] FBI # [redacted]

CRIMINAL CHARGES FILED:

Suspect Adam Marwah: **Convicted on Count one, 148(A) PC on July 19, 2013. As Part of a Plea (No Contest) Agreement, Count One, 243(b) PC Was Dismissed.**

CRIMINAL HISTORY:

Suspect Adam Marwah: **Criminal History** consists of the Following arrests and convictions:


[redacted]

IAB Note: For further details regarding Adam Marwah's criminal history, refer to **Miscellaneous Documents, CCHRS.**

CIVILIAN WITNESSES:


[redacted] FB/[redacted]

[redacted] FB/[redacted]

INTERNAL AFFAIRS BUREAU
INVESTIGATIVE SUMMARY



[redacted] MB/[redacted]

[redacted] FB/[redacted]

INJURIES:

Suspect Adam Marwah sustained a fractured right orbital. For further details, refer to "Continued Care" instructions completed by Doctor William Sheer of Marina Del Rey Hospital.

PHYSICAL EVIDENCE:

None:

WEAPONS USED BY DEPUTY PERSONNEL:

Deputy Cooley used personal weapons (Fists) and control holds (Team Takedown).

Deputy [redacted] used personal weapons (Fists) and control holds (Team Takedown).

WEAPONS USED BY SUSPECT:

Suspect Marwah used resistance and personal weapons (Elbows).

PROPERTY DAMAGE:

None

LIGHTING AND WEATHER CONDITIONS:

The incident occurred indoors. Illumination consisted of daylight through open door way.

INTERNAL AFFAIRS BUREAU
INVESTIGATIVE SUMMARY

INVOLVED EMPLOYEE STATEMENTS:

Deputy [redacted]

[redacted] **Deputy #**[redacted] Marina Del Rey Sheriff's Station was interviewed on January 10, 2014, by Sergeant Jose Garcia and Sergeant Mark Lopez of the Internal Affairs Bureau. The interview took place at the Internal Affairs Bureau and it was audio recorded. The following is a summary of the interview:

Deputy [redacted] said he was assigned to a two man [redacted] radio car with his [redacted] Deputy Cooley on April 13, 2013, PM shift. They received a call for service at [redacted] Parkglen Avenue, Tag #83. The call indicated that the informant was the victim of theft and that the suspect of the theft was at the location.

As they responded, they received additional information from the Marina Del Rey desk that the suspect of the theft was named [redacted] and was on Parole. The deputies confirmed this parolee status via California Wanted Persons prior to their arrival.

Upon their arrival they were met with Witness [redacted] in front of the location. As they spoke to Witness [redacted] in the front yard, they could hear loud yelling and arguing coming from inside of the location. Due to the loud yelling, the deputies approached the open doorway of the location and could hear some crashing noises and loud arguing coming from inside the location.

From the open doorway, he could see a hallway that led to several rooms, but saw no one in the hallway. He thought that there may be at least two people arguing inside one of the rooms and their voices were male and female. He said he was not sure if persons inside the location were verbally or physically fighting. He could not make out what was being said but believed the fight may be domestic. Deputy [redacted] asked Deputy Cooley to request back up as he felt uneasy of the potential fight going on inside the location.

Deputy [redacted] made announcements and identified himself as the Sheriff's Department as he knocked on the open door. He ordered the residents of the location to come out with their hands up. He saw one male (Mr. [redacted]) exit a room and approached the open front doorway. Mr. [redacted] appeared sweaty and was breathing heavily.

This confirmed Deputy [redacted] belief that there may have been a fight inside. He believed there may be someone injured inside the location.

Deputy [redacted] was asked if he identified Mr. [redacted] as [redacted] at that point and he said he does not remember if he did or not at that moment. He added that his concern at the time was to have all the occupants of the location exit in order to clear the location of any potential victims. Mr. Ransom was cooperative with the deputies. He was handcuffed and sat on the porch.

Deputy [redacted] continued to call out additional residents from the doorway and three additional people exited the same room. Witness [redacted] Witness [redacted] and Suspect Marwah exited the room and approached the open front doorway. The three people were uncooperative as they continued to yell and argue.

Witness [redacted] and Witness [redacted] complied with the deputies' orders to exit but Suspect Marwah refused to comply and remained at the doorway. Suspect Marwah yelled unknown statements at Deputy [redacted] and refused to comply.

Approximately one minute later; due to Suspect Marwah's uncooperative demeanor, Deputy [redacted] requested assistance via his handheld radio as he felt more deputies were needed at the location.

Deputy [redacted] believed he was at a tactical disadvantage due to the fact that the suspect was hostile and refused to comply as well as there were residents that were not handcuffed.

Deputy [redacted] wanted to calm Suspect Marwah down and began to explain the reasons why they needed to clear the house. Suspect Marwah told Deputy [redacted] that it was his house and they had no right to enter it, adding that he did not need to comply with the deputies.

Deputy [redacted] could hear Sheriff's Aero hovering above the location. He believes Suspect Marwah was alerted to the sound and became agitated. Suspect Marwah tried to shut the front door on the deputies but Deputy [redacted] placed his foot in the door jamb and kept the door from closing. Deputy [redacted] pushed the door open and saw Suspect Marwah walking away from the front door.

Deputy [redacted] believed Suspect Marwah may want to arm himself so he followed the suspect into the hallway. Approximately five feet from the doorway, he grabbed the suspect's right bicep with his right hand in order to detain him.

Suspect Marwah began to shake violently back and forth as he pulled Deputy [redacted] further into the hallway.

Suspect Marwah shook Deputy [redacted] violently and pushed him against a table causing Deputy [redacted] gun side to strike the table.

Deputy [redacted] grabbed Suspect Marwah's left arm with his left hand in order to spin him counter clockwise down to the floor. As Deputy [redacted] was guiding the suspect to the floor, the suspect threw a right elbow strike at him. The elbow strike made contact with Deputy [redacted] left cheek area.

Deputy [redacted] broadcast that deputies were involved in a fight via his handheld radio.

During his fight with the suspect, he saw Deputy Cooley to his left side, also involved and making contact with the suspect but he does not know what Deputy Cooley was doing.

Deputy [redacted] considered the fact that the two female witnesses and Witness [redacted] had not been searched and the parolee had not yet been identified, coupled with the fact that he was concerned with a newly assigned [redacted] that he was responsible for.

During the fight, Deputy [redacted] could hear the female witnesses yelling but does not know what they were yelling.

Deputy [redacted] wanted to overcome the suspect's fighting so he punched the suspect's left torso area two times with his left fist.

The suspect stopped striking but continued to resist the deputies by placing his hands in a fist under his stomach. Deputy [redacted] had to pry the suspect's hands out from under his body in order to handcuff him.

Once on the floor, Deputy Cooley pinned the suspect upper body and Deputy [redacted] pinned the lower part of the suspect's body. Deputy [redacted] then handcuffed the suspect.

Suspect Marwah continued to be uncooperative and did not want to stand. The deputies carried him out of the location all the way to a radio car in front of the location. Deputy [redacted] held the suspect's legs as Deputy Cooley held the suspect upper torso.

As they carried the suspect out to the radio car, the witnesses yelled at Suspect Marwah to stop resisting and they yelled at the deputies to leave him alone.

Once Suspect Marwah was placed in the back seat of the radio car, there were no further incidents.

During the fight, Deputy [redacted] did not see Deputy Cooley strike the suspect at any time. Deputy Cooley reported his force to him following the incident. He noticed that Deputy Cooley's lower lip was bleeding.

Deputy [redacted] said he was struck on his left cheek bone area, which left some pain and redness but he did not receive treatment for it.

__Deputy Cooley:__

Royce Cooley, Deputy #[redacted] Marina Del Rey Sheriff's Station was interviewed on January 10, 2014, by Sergeant Jose Garcia and Sergeant Mark Lopez of the Internal Affairs Bureau. The interview took place at the Internal Affairs Bureau and it was audio recorded. The following is a summary of the interview:

Deputy Cooley said he was assigned to a two man [redacted] radio car with his [redacted] Deputy [redacted] on April 13, 2013, PM shift. He said he was on his [redacted] They received a call for service at [redacted] Parkglen Avenue, Tag #83. The call indicated that the informant had his welfare card stolen and that the suspect of the theft was at the location.

Upon their arrival they were met with Witness [redacted] in front of the location. Witness [redacted] began to explain the details of the theft in the front yard. As they spoke, they could hear loud yelling and arguing coming from inside of the location. Due to the loud yelling, the deputies approached the open doorway of the location and could hear some crashing noises and loud arguing coming from inside the location.

Deputy Cooley told Witness [redacted] to remain in the front yard and the two deputies approached the front door of the location.

The front security door was wide open and the main door was partially open. Deputy Cooley could see into the location and saw a hallway and no one in sight. He could hear loud screaming coming from one of the rooms.

The deputies identified themselves as the Sheriff's Department and ordered the occupants to exit the house with their hands up. Deputy [redacted] requested a unit back up due to the loud screaming.

Mr. [redacted] exited a room and approached the front door. He complied with the deputies and submitted to a pat down search. He was handcuffed and sat down on a chair located on the front porch.

Deputy [redacted] continued to yell out for additional occupants to exit, at which time Witnesses [redacted] [redacted] and Suspect Marwah exited the same room and approached the front door.

Suspect Marwah stood at the threshold of the front door. He yelled profanities at the deputies and was very uncooperative. Deputy [redacted] requested assistance via his handheld radio due to Suspect Marwah's combative behavior.

Deputy Cooley asked Suspect Marwah to calm down and asked him what was going on. Suspect Marwah told Deputy Cooley, "I don't have to talk to you. You're a fucking rookie. You don't know what the fuck you're doing. The other cops were here the other day and they weren't doing what you all are doing."

Witness [redacted] and Witness [redacted] complied with the deputies orders to come out to the porch and were telling Suspect Marwah to "calm down."

Deputy Cooley was focused on Suspect Marwah's combative demeanor and not the witnesses. He added that Suspect Marwah was the bigger threat at the time.

Deputy Cooley was asked if he was concerned about Mr. [redacted] and he said he was not concerned with him as Mr. [redacted] was cooperative and handcuffed on a chair. He added that Witness [redacted] was standing in the front yard.

Suspect Marwah said, "Fuck you all, I don't have to talk to you all." He slammed the door against the deputies but Deputy [redacted] placed his foot in the door jamb and kept the door from closing.

Deputy [redacted] pushed the door open and they saw Suspect Marwah walking away from the doorway into the hallway. Deputy [redacted] followed the suspect into the hallway and grabbed him from behind in order to detain him.

Suspect Marwah swung his elbows back at Deputy [redacted] and said, "Get the fuck off me. Get the fuck off me."

Deputy Cooley also followed Suspect Marwah and placed himself in front of the suspect. He grabbed the suspect's left shoulder as the suspect shook and spun Deputy [redacted] around, approximately 180 degrees in a clockwise direction, where the suspect and Deputy [redacted] were now facing the front door.

Deputy Cooley said he and Deputy [redacted] were trying to pin the suspect against the wall and handcuff him but the suspect swung his elbows violently and broke Deputy Cooley's grip. As Suspect Marwah swung his elbows, he struck Deputy Cooley's lower lip with one of his elbows.

During the fight, the suspect was saying, "I'm not going down. You aren't taking me to the ground."

Deputy Cooley punched the suspect on the face, once with his left fist and once with his right fist in order to keep the suspect from fighting.

Suspect Marwah began to go down to the floor and Deputy Cooley grabbed his left shoulder area in order to guide him down to the floor. While on the floor, Suspect Marwah's head was facing the front doorway and his feet were facing the doorways to other rooms in the house.

While on the floor with the suspect, Deputy Cooley broadcast via his handheld radio that deputies were involved in a fight.

Suspect Marwah continued to struggle while facing down on the floor by placing his hands under his stomach to avoid being handcuffed.

Deputy Cooley grabbed the suspect's left arm and pried it out from under the suspect's stomach. He did not remember if Deputy [redacted] grabbed the suspect's right arm before handcuffing him. Deputy [redacted] handcuffed the suspect.

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Deputy Cooley positioned himself on one knee and placed his left hand on the suspect's left shoulder area with his right hand on his back to keep him from struggling. He continued to order the suspect to stop resisting.

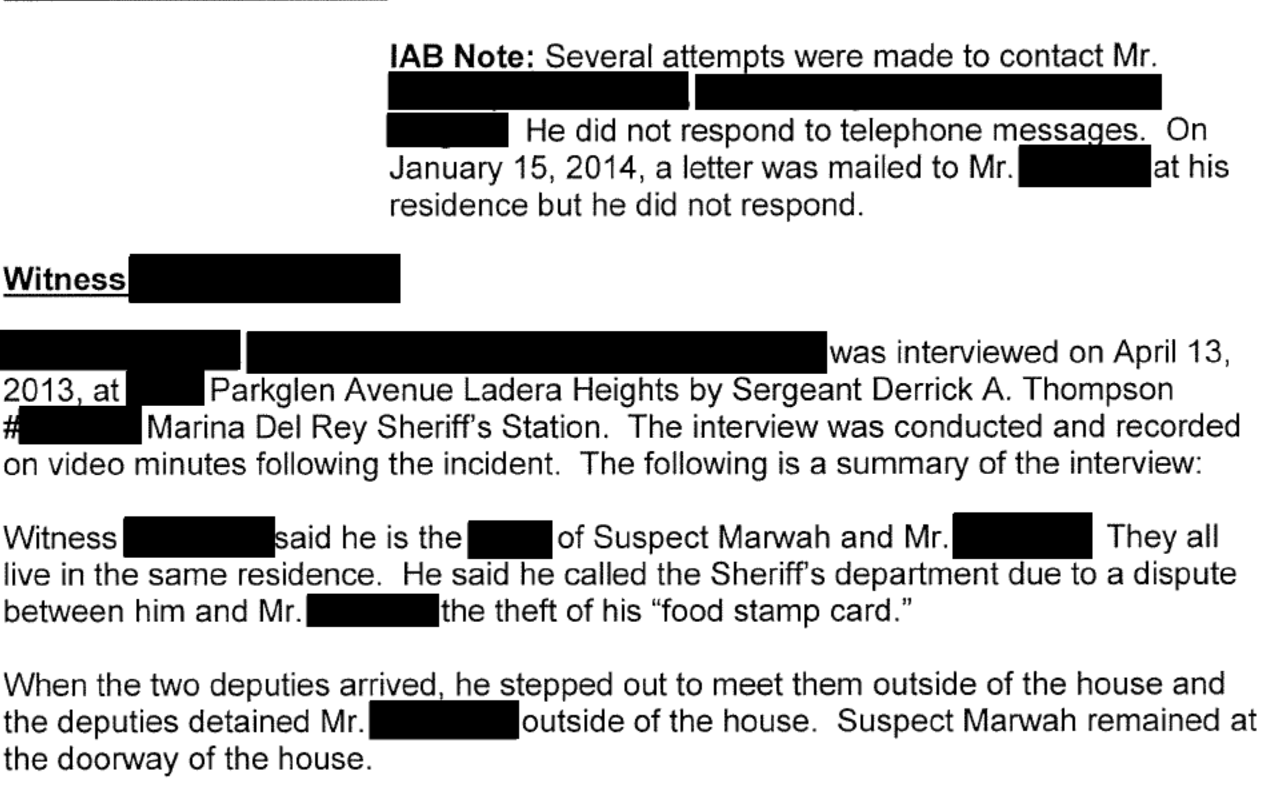
Suspect Marwah refused to stand up and continued to comply with the deputies. The deputies lifted the suspect and carried him to a radio car in front of the location.

Suspect Marwah was placed in the back seat head first and another deputy assisted through the opposite open doorway to pull the suspect into the back seat.

Deputy Cooley said the fight took only a few seconds and it was over quickly.

Deputy Cooley suffered a small abrasion and swelling on the inside of his lower lip. He was not treated for his injury.

WITNESS STATEMENTS:



IAB Note: Several attempts were made to contact Mr. [redacted] He did not respond to telephone messages. On January 15, 2014, a letter was mailed to Mr. [redacted] at his residence but he did not respond.

Witness [redacted]

[redacted] was interviewed on April 13, 2013, at [redacted] Parkglen Avenue Ladera Heights by Sergeant Derrick A. Thompson #[redacted] Marina Del Rey Sheriff's Station. The interview was conducted and recorded on video minutes following the incident. The following is a summary of the interview:

Witness [redacted] said he is the [redacted] of Suspect Marwah and Mr. [redacted] They all live in the same residence. He said he called the Sheriff's department due to a dispute between him and Mr. [redacted] the theft of his "food stamp card."

When the two deputies arrived, he stepped out to meet them outside of the house and the deputies detained Mr. [redacted] outside of the house. Suspect Marwah remained at the doorway of the house.

The deputies and Suspect Marwah had a brief conversation and Suspect Marwah walked away from deputies into the house because Suspect Marwah and his family had nothing to do with the dispute.

Witness [redacted] said he remained in front of the house and stood at the sidewalk where he observed the incident from.

When Suspect Marwah walked away from the deputies, the deputies followed him into the house and grabbed him. The deputies said, "Wait a minute." Suspect Marwah said he wanted to go in the house with his [redacted] and [redacted]

The deputies grabbed Suspect Marwah and pushed him down to the floor, where they held his head down on the floor. Witness [redacted] described the position that Suspect Marwah was held in as a prone position with his hands held against his back and feet lifted and pointed to the back.

Witness [redacted] added that the deputies detained him for something he had nothing to do with and that the deputies were not supposed to be at the location for him. He said Suspect Marwah did not close the door on the deputies and did not resist the deputies.

Witness [redacted]

[redacted] was interviewed on April 13, 2013, at [redacted] Parkglen Avenue Ladera Heights by Sergeant Derrick A. Thompson #[redacted] Marina Del Rey Sheriff's Station. The interview was conducted and recorded on video minutes following the incident. The following is a summary of the interview:

Witness [redacted] said she is the mother of Suspect Marwah. She said she saw the incident from approximately two feet away. She said Suspect Marwah was being protective of his [redacted] when the deputies wanted to enter his bedroom. She said she was not sure why they wanted to enter, except that the deputies wanted to make sure the bedroom was empty but still did not understand why they wanted to enter.

She said Suspect Marwah was at the door way and did not allow deputies inside because his [redacted] was sleeping and did not want the deputies to awaken him.

Witness [redacted] said the deputies told Suspect Marwah that they were going in and they went in. The deputies subdued Suspect Marwah inside the hallway for being protective of his [redacted] She said they handcuffed Suspect Marwah on the floor and dragged him to the radio car.

<u>Witness [redacted]</u>

[redacted] was interviewed on April 13, 2013, at [redacted] Parkglen Avenue Ladera Heights by Sergeant Derrick A. Thompson #[redacted] Marina Del Rey Sheriff's Station. The interview was conducted and recorded on video minutes following the incident. The following is a summary of the interview:

Witness [redacted] said she is the [redacted] of Suspect Marwah and was present during the incident. She said she wanted to check on her [redacted] in the bedroom but the deputies did not allow her to walk to her bedroom and told her to "stay right there."

Suspect Marwah told her to go ahead and go back into the living room. Suspect Marwah told her that he was no longer complying with the deputies and "was not going to deal with that" because there was nothing else to say. Suspect Marwah told the deputies they could not enter the house because there was no warrant. She said he was ready to close the door.

The deputies pushed the door open and went inside the house and that is when "it went down." She said the deputies pushed and tackled the suspect down to the floor. She added that Suspect Marwah was not intoxicated.

> **<u>IAB Note:</u>** For further details regarding the video recorded interviews of Witnesses [redacted] and [redacted] refer to **Exhibit F, DVD containing video recorded interviews by Sergeant Thompson.**

<u>Witness [redacted]</u>

Witness [redacted] was interviewed on January 8, 2014, by Sergeant Jose J. Garcia of the Internal Affairs Bureau. The interview was conducted via telephone and it was audio recorded. The following is a summary of the interview:

Witness [redacted] said she is the [redacted] of Suspect Marwah and went to his house to visit on the date of the incident. She said she and her [redacted] arrived after the incident occurred. She said they spent approximately two minutes observing the end of the incident. She said when she and Mr. [redacted] arrived, deputies already had Suspect Marwah pinned on the floor with his hands behind his back. The two deputies carried Suspect Marwah out of the house and threw him inside a radio car like he was an animal. She did not see what part of Suspect Marwah's body landed inside the radio car.

Witness [redacted] was asked if she saw deputies strike Suspect Marwah in any way and she said she did not see anything like that but Suspect Marwah did appear bruised as they carried him out to the car. She said she did not see Suspect Marwah strike the deputies.

Witness [redacted] was asked if she recorded any part of the incident on video and she said Mr. [redacted] recorded some of the incident but she did not know what he recorded.

> **IAB Note:** Witness [redacted] provided Sergeant Garcia a telephone number for Mr. [redacted] which was erroneous. When Sergeant Garcia called her back for clarification, she no longer answered the telephone. A telephone message was left on her voice mail box.

SUSPECT STATEMENTS:

Suspect Adam Marwah:

Suspect Adam Marwah, [redacted] was interviewed on April 13, 2013, at [redacted] Parkglen Avenue Ladera Heights by Sergeant Derrick A. Thompson # [redacted] Marina Del Rey Sheriff's Station. The interview was conducted and recorded on video minutes following the incident. Suspect Marwah was seated in the back of a radio car during this interview. The following is a summary of the interview:

Suspect Marwah said he is the head of the household. He said Witness [redacted] is his [redacted] and [redacted] is his [redacted] and they all live in at the location. He said Witness [redacted] called the sheriff's department because he felt threatened by Mr. [redacted]

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Due to the loud arguing, Suspect Marwah came out of his room to see what was going on between Witness [redacted] and Mr. [redacted] That is when deputies arrived at the location.

During the argument in the house, he heard deputies yell at them to come out of the house. Mr. [redacted] as well as Witness [redacted] came out of the house exited and Mr. [redacted] was handcuffed by deputies.

Suspect Marwah spoke the deputies at the doorway and Witness [redacted] walked out of her bedroom at which time deputies told her to come out of the house. She told deputies her one year old [redacted] was in the bedroom and wanted to bring him out.

The deputies yelled to her, "No, you come this way." Suspect Marwah told Witness [redacted] to just go get their son. The deputies jumped on Suspect Marwah because he told Witness [redacted] to go back into the room. Suspect Marwah said the deputies were punching him.

Suspect Marwah said he was not injured but felt he had something in his eye as he motioned to his right eye or right side of the face.

Suspect Marwah said he had not been drinking and was not using drugs or medications. The interview by Sergeant Thompson was terminated.

Suspect Adam Marwah was interviewed on April 14, 2013, at approximately 0005 hours by Sergeant Jose J. Garcia and Sergeant Hector Velasquez of the Internal Affairs Bureau. The interview took place at Marina Del Rey Jail and it was audio recorded. The following is a summary of the interview:

Suspect Marwah said he is the head of the household. His [redacted] and his [redacted] Witness [redacted] got into an argument at the house over missing identification. He said Witness [redacted] "is not the most level headed guy."

Suspect Marwah was in his bedroom and heard the argument. He stepped out of the bedroom to see what was happening and saw the two yelling at one another in the living room. He said that Witness [redacted] called the Sheriff's Department.

Sheriff's deputies arrived and announced their presence at the door by yelling, "Sheriff's Department."

Witness [redacted] stepped out to speak to deputies and Mr. [redacted] remained inside the living room yelling. Mr. [redacted] then stepped out to the deputies, at which time the deputies handcuffed Mr. [redacted]

Suspect Marwah and Witness [redacted] then stepped out to speak to deputies at the open doorway.

One of the deputies was telling Suspect Marwah to come outside and Suspect Marwah told the deputies that he was not involved in the dispute adding that he only heard the arguing and did not know what was going on. He told the deputies he was not coming outside.

Suspect Marwah said the deputies wanted his [redacted] Witness [redacted] to come out also and at one point, physically pulled Witness [redacted] He added that Witness [redacted] is sixty three or sixty four years old and elderly.

Suspect Marwah told the deputies that he and Witness [redacted] had nothing to do with the dispute and that the persons involved were already outside with the deputies. The deputies continued to insist that they come out to speak to them but he refused.

Suspect Marwah said that he told deputies that if they wanted to talk to him, they could come in and speak to him inside like normal Sheriff's Deputies do. He then said he told deputies that they could talk in the doorway. He added that the Sheriff's department has been at his house before in regards to Mr. [redacted]

Suspect Marwah was asked how many times he was asked to come out by deputies and he said, approximately three times. While at the doorway, the deputies asked who else was in the house and asked what was happening.

While he spoke to deputies in the doorway, his [redacted] Witness [redacted] exited their bedroom and asked what was going on. The deputies told her to come outside. Witness [redacted] told the deputies that her one year old [redacted] was in their bedroom and needed to bring him with her. The deputies told her to come outside and to not go back into the room.

Suspect Marwah said that as he stood at the door talking with deputies, he told Witness [redacted] "[redacted] you deal with it."

He told the deputies that Witness [redacted] called them and that he and Witness [redacted] were not involved in the dispute. He told them that they were going back to their bedroom.

Suspect Marwah told Witness [redacted] "Just go get him Babe." He said he believes that the deputies did not like him telling Witness [redacted] to return to her bedroom, so when he started to walk back toward his bedroom the deputies jumped on him.

Suspect Marwah said Deputy Cooley grabbed him by the shoulders and began to push him against the wall with his right shoulder against the wall. He was then pushed down to the floor. He said he did a clockwise turn while against the wall and ended with his left shoulder against the wall. Deputy [redacted] was in front of him and Deputy Cooley was behind him. He said his legs were tense during the struggle.

He felt Deputy [redacted] also grab him and felt a downward force as if the deputies were trying to take him down to the floor. He said he did not fall immediately and would not go down as fast as the deputies wanted him to. He said this struggle lasted approximately ten seconds.

Suspect Marwah said that at some point he realized that the deputies were trying to take him down to the floor and he said he knew it from the beginning, when the deputies first grabbed him.

He was asked if the deputies were trying to take him down, why did he not go along with the deputies and he said he was going down except he did not go down fast enough.

He said he does not recall any of the deputies yelling commands toward him but does remember Witnesses [redacted] and [redacted] yelling for the deputies to leave him alone.

He said he did not fall fast and remained on his feet. He said that he believed that because he did not go down to the floor fast enough, the deputies punched him repeatedly until he fell to the floor. He said that when he felt the punches, he said, "Okay, okay."

Suspect Marwah was asked if it occurred to him that the deputies believed that he was resisting while he refused to be pushed down and he said no. He said he was not resisting.

Suspect Marwah said when he was taken to the floor he placed his hands in front of his torso and the deputies were trying to force his hands back behind him in order to handcuff him.

He said all he was doing was being stiff and would not go down to the floor while they force him down to the floor. The deputies then "hog tied him" and dragged him down the stairs like an animal. He then said they carried him and he was not hog tied.

Suspect Marwah was asked how he was taken down to the floor and he said the deputies guided him down to the floor and placed him on his stomach.

IAB Note: The following is an excerpt from Suspect Marwah's interview on April 14, 2013, beginning on page 19

Garcia: Now at some point you said you started getting punched. Now where did the first punch come from, and where were you? Were you already on the floor?

Marwah: I was on the ground. Yeah, I was on the ground.

Garcia: So you went face down, on your side...

Marwah: On my stomach, on my stomach. Uh-huh (AFFIRMATIVE).

Garcia: Now when you went down, what part of your body hit first, your knees, your....

Marwah: It wasn't like a hit, it wasn't like that, it was just a slow...

Garcia: Slow, gradual, almost like a, like a, like they guided you down.

Marwah: Yeah, uh-huh (AFFIRMATIVE).

Garcia: So it wasn't like a straight body slam or anything?

Marwah: No, no.

Garcia: Now, so you, so they just guided you down to your, your belly, basically?

Marwah: Uh-huh (AFFIRMATIVE).

Garcia: Right?

Marwah: Uh-huh (AFFIRMATIVE).

Garcia: Where were your hands?

Marwah: Like kinda in between my, like my stomach, kind of, stomach area.

Garcia: So they were to your front areas, okay. Now I would imagine that you knew they were trying to restrain you, how long did that take before they were able to do that?

Marwah: Gosh, maybe four seconds, maybe. I mean, as soon as I got to the ground and I didn't move my arms back they started punching me, you know. And from there, that's,

Suspect Marwah said he received four punches by the deputies. The first punch was to his right eye. He said once he was punched, he relaxed, gave the deputies his hands and was handcuffed.

He said that he did not give up his hands because he is the head of the household. He was not involved in the dispute and believed it was not right.

Suspect Marwah said that he believed Deputy Cooley did not like him because during their initial conversation he told Deputy Cooley that he did not seem like a veteran deputy and felt he was a "rookie." He added that he told him he would rather speak to Deputy [redacted] He believed that Deputy [redacted] was handling the situation correctly.

Suspect Marwah was asked if it was possible that his elbow may have struck one or both deputies and he said it was impossible based on how the deputies grabbed him.

Suspect Marwah said that his family was yelling at the deputies during the fight that Suspect Marwah was not involved in the dispute and did not do anything.

Suspect Marwah said his [redacted] Witness [redacted] and [redacted] arrived at the house to visit during the incident and were video recording the incident with their cellular telephones.

Suspect Marwah said he sustained an eye injury due to being punched on the face.

IAB Note: Two photographs of Suspect Marwah's face were taken following this interview by Sergeant Garcia. For further details, refer to **Exhibit E, Photographs (2) of Suspect Marwah's face.**